

REMARKS

Claims 1-14 and 16-25 were examined by the Office, and in the Office Action of August 23, 2007 all claims are rejected. With this response the specification is amended to include reference numerals listed in the drawings that were not mentioned in the specification. No new matter is added. No claims are amended, added or cancelled.

Applicant respectfully requests reconsideration and withdrawal of the objections and rejections in view of the following discussion.

Drawings

In section 1, on page 2 of the Office Action, the drawings are objected to because they fail to show item descriptions as described in the specification. The drawings are objected to because they include reference characters 24 and 26 that are not mentioned in the specification.

The specification is amended to include reference characters 24 and 26. Reference character 24 identifies the transmission line between applications 50 – 56 and access subsystem 4. Reference character 26 identifies the transmission line between applications 50 – 56 and application configurations 30 – 34. Applicant respectfully submits that no new matter is added, because Figure 1 clearly shows that reference character 24 identifies the line between access subsystem 4 and applications 50 – 56, and that reference character 26 identifies the line between applications 50 – 56 and application configurations 30 – 34.

Claim Rejections Under § 103

In section 4, on page 4 of the Office Action, claims 1-14 and 16-25 are rejected under 35 U.S.C. § 103(a) as unpatentable over Struble (U.S. Patent No. 6,745,253) in view of Focsaneanu et al. (U.S. Patent No. 5,828,666). Applicant respectfully submits that claim 1 is not disclosed or suggested by the cited references, alone or in combination, because the cited references at least fail to disclose or suggest that the configuration of an application on the terminal device may be adapted in accordance with obtained properties of a data connection, wherein the configuration relates to use of the data connection by the application. Furthermore, the cited references fail to disclose or suggest obtaining properties related to at least one of a number of different types of data connections, as recited in claim 1.

Struble is directed to a system and method for locating and using a peripheral device such that a user can wirelessly transmit an initial communication with a computing device, i.e. PDA, and then wirelessly transmit data to the peripheral device with the computing device. See Struble Abstract. Struble discusses a system in which a computing device (104) can be used to locate and then communicate with peripheral devices, such as printers. Struble is directed to allowing users to use peripheral devices to receive data transmitted from computer devices (104) in order to carry out a particular function for the data, i.e. printing. See Struble column 1, lines 23-28. In Struble, the computing device (104) may include a wireless interface device (206) that allows for data to be wirelessly transmitted or received. The wireless interface device (206) may be adapted for omni-directional communications such as short range radio frequency communications, i.e. Bluetooth. See Struble column 3, lines 6-15. The computing device (104) also includes device driver module (216) that includes one or more drivers that configure data to be transmitted to the peripheral device such that it can be used by the device, for example the drivers may be a printer driver if the peripheral device is a printer. See Struble column 3, lines 28-33. The computing device (104) may be capable of determining whether it contains a suitable driver for a peripheral device, and whether the peripheral device is configured to receive and manipulate data transmitted from the computing device (104). See Struble column 4, lines 24-28. However, Struble does not disclose or suggest that a configuration of an application on a mobile terminal device is adapted based on obtained properties of at least one of a number of different types of data connections, as recited in claim 1.

In contrast to claim 1, Struble does not disclose or suggest that the configurations of applications on the computing device (104) are adapted based on the type of data connection. Instead, Struble at most discusses that the configuration of data may be adapted based on the type of peripheral device that the computing device (104) desires to transmit the data to. See Struble column 3, lines 29-30. However, while Struble does discuss that the wireless interfaces (206) may be configured for Bluetooth or infrared (IR) wireless transmissions, Struble fails to disclose or suggest that the wireless interfaces (206) can be configured for multiple types of wireless transmission or that applications of the computing device (104) are configured based on the type of wireless transmission used. Therefore, Struble cannot disclose or suggest adapting the configuration of applications based on the type of data connections, because Struble does not disclose or suggest that multiple data connections may be used for the same computing device

(104). Furthermore, Struble does not even mention that applications of the computing device (104) are in any way affected by the type of short range radio frequency communication used by the computing device (104). Therefore, for at least these reasons, Struble fails to disclose or suggest all of the limitations recited in claim 1. Focsaneanu fails to make up for the deficiencies in the teachings of Struble identified above, and therefore the cited references even in combination fail to disclose or suggest all of the limitations recited in claim 1.

Focsaneanu also fails to disclose or suggest obtaining properties related to data connections. Focsaneanu at most discloses that a controller analyzes the contents of a data connection request to identify the services requested. See Focsaneanu column 8, lines 11-16. Analyzing the contents of a data connection request is not the equivalent of obtaining properties of at least one data connection, because only the contents of the request are analyzed.

Furthermore, the Office states that the motivation for combining Struble with Focsaneanu would be the effect of how a person can locate one or more peripheral devices and determine the functional capabilities of the devices so that the person can determine whether he or she wishes to use the devices. However, claim 1 has nothing to do with locating peripheral devices, but is instead directed to obtaining properties of data connections, and adapting applications based on the properties of the data connections. The motivation offered by the Office for combining the cited references is entirely irrelevant with respect to the present application, because one of skill in the art would not be motivated to modify the cited references for the reason suggested by the Office in order to arrive at the limitations recited in claim 1. Therefore, for at least the reasons discussed above the cited references fail to disclose or suggest all of the limitations recited in claim 1, and claim 1 is patentable over the cited references, alone or in combination.

Claims 2-12 ultimately depend from independent claim 1, and are patentable over the cited references at least in view of their dependencies. Furthermore, with respect to claims 2-5 and 9 contrary to the assertions of the Office, Struble does not disclose or suggest that a property of a connection is an identification thereof. Struble does not disclose or suggest any properties for any of the types of data connections, i.e. Bluetooth or IR, and therefore cannot disclose or suggest that the properties include identifications of the type of data connections. Therefore, for at least these additional reasons, claims 2-5 and 9 are not disclosed or suggested by the cited references.

Independent claim 13 contains limitations similar to those recited in independent claim 1, and is rejected for the same reason as claim 1. Therefore for at least the reasons discussed above in relation to claim 1, claim 13 is not disclosed or suggested by the cited references.

Claim 14 depends from independent claim 13, and is patentable over the cited references at least in view of its dependency.

Independent claim 16 contains limitations similar to those recited in claim 1, and therefore for at least the reasons discussed above in relation to claim 1, claim 16 is not disclosed or suggested by the cited references.

Claims 17-20 ultimately depend from independent claims 16, and are patentable over the cited references at least in view of their dependencies.

Claim 21 contains limitations similar to those recited in claim 13, and therefore for at least the reasons discussed above with respect to claim 13, the cited references not disclose or suggest all of the limitations cited by claim 21.

Claims 22 and 23 ultimately depend from independent claim 21, and are patentable over the cited references at least in view of their dependencies.

Claim 24 contains limitations similar to those recited in claim 16, and therefore for at least the reasons discussed above with respect to claim 16 claim 24 is not disclosed or suggested by the cited references.

Claim 25 depends from claim 24 and is patentable over the cited references at least in view of its dependency.

Conclusion

The rejections of the Office Action having been shown to be inapplicable, withdrawal thereof is requested, and passage to issue of the present application is earnestly solicited. The undersigned believes that no additional fee is required to submit this response, but hereby authorizes the Commissioner to charge Deposit Account 23-0442 for any fee deficiency required to submit this response.

Respectfully submitted,

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